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FILED

Date 5/13/16 By

Susan Saylor

9 **BEFORE THE**
10 **STRUCTURAL PEST CONTROL BOARD**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2016-58

13 **CRAIG RANDELL LORICK**
14 **15058 Zircon Drive**
Victorville, CA 92394

ACCUSATION

15 **Field Representative License No. FR 33089,**
16 **Branch 2**

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Susan Saylor (Complainant) brings this Accusation solely in her official capacity as
22 the Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer
23 Affairs.

24 2. On or about January 31, 2001, the Structural Pest Control Board issued Field
25 Representative License Number FR 33089, Branch 2 to Craig Randell Lorick (Respondent). The
26 Field Representative License was in full force and effect at all times relevant to the charges
27 brought herein and will expire on June 30, 2018, unless renewed.
28

1 3. On or about October 12, 2000, the Structural Pest Control Board issued Applicator
2 License Number RA 16260, Branch 2 to Craig Randell Lorick (Respondent). The Applicator
3 License expired on January 31, 2001, and has not been renewed.

4 **JURISDICTION**

5 4. This Accusation is brought before the Structural Pest Control Board (Board),
6 Department of Consumer Affairs, under the authority of the following laws. All section
7 references are to the Business and Professions Code (Code) unless otherwise indicated.

8 5. Code section 477 states, in pertinent part:

9 “(b) ‘License’ includes certificate, registration or other means to engage in a business or
10 profession regulated by this code.”

11 **STATUTORY AND REGULATORY PROVISIONS**

12 6. Code section 8620 provides, in pertinent part, that the Board may suspend or revoke a
13 license when it finds that the holder, while a licensee or applicant, has committed any acts or
14 omissions constituting cause for disciplinary action or in lieu of a suspension may assess a civil
15 penalty.

16 7. Code section 8637 states:

17 “Misrepresentation of a material fact by the applicant in obtaining a license or
18 company registration is a ground for disciplinary action.”

19 8. Code section 8649 states:

20 “Conviction of a crime substantially related to the qualifications, functions,
21 and duties of a structural pest control operator, field representative, applicator, or
22 registered company is a ground for disciplinary action. The certified record of
conviction shall be conclusive evidence thereof.”

23 9. California Code of Regulations, title 16, section 1937.1 states:

24 “For the purposes of denial, suspension or revocation of a license or company
25 registration pursuant to Division 1.5 (commencing with Section 475) of the code, a
26 crime or act shall be considered to be substantially related to the qualifications,
27 functions or duties of a licensee or registered company under Chapter 14 of
28 Division 3 of the code if to a substantial degree it evidences present or potential
unfitness of such licensee or registered company to perform the functions
authorized by the license or company registration in a manner consistent with the

1 public health, safety, or welfare. Such crimes or acts shall include, but not be
2 limited to, the following:

3 “(a) Any violation of the provisions of Chapter 14 of Division 3 of the code.

4 “(b) Commission of any of the following in connection with the practice of
5 structural pest control:

6 (1) Fiscal dishonesty

7 (2) Fraud

8 (3) Theft

9 (4) Violations relating to the misuse of pesticides.”

10 COST RECOVERY

11 10. Code section 125.3 states, in pertinent part, that a Board may request the
12 administrative law judge to direct a licensee found to have committed a violation or violations of
13 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
14 enforcement of the case.

15 OTHER MATTERS

16 11. Code section 8624 states, in pertinent part:

17 “If the operator is the qualifying manager, a partner, responsible officer, or
18 owner of a registered structural pest control company, the suspension or revocation
19 may be applied to the company registration.”

20 12. Code section 8654 states:

21 “Any individual who has been denied a license for any of the reasons specified
22 in Section 8568, or who has had his or her license revoked, or whose license is under
23 suspension, or who has failed to renew his or her license while it was under
24 suspension, or who has been a member, officer, director, associate, qualifying
25 manager, or responsible managing employee of any partnership, corporation, firm, or
26 association whose application for a company registration has been denied for any of
27 the reasons specified in Section 8568, or whose company registration has been
28 revoked as a result of disciplinary action, or whose company registration is under
suspension, and while acting as such member, officer, director, associate, qualifying
manager, or responsible managing employee had knowledge of or participated in any
of the prohibited acts for which the license or registration was denied, suspended or
revoked, shall be prohibited from serving as an officer, director, associate, partner,
qualifying manager, or responsible managing employee of a registered company, and

1 the employment, election or association of such person by a registered company is a
2 ground for disciplinary action.”

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Convictions of Substantially Related Crimes)**

5 13. Respondent is subject to disciplinary action under section 8649, in conjunction with
6 California Code of Regulations, title 16, section 1937.1, in that he has been convicted of crimes
7 substantially related to the qualifications, functions or duties of a licensed field representative, as
8 follows:

9 a. On or about November 19, 2015, after pleading nolo contendere, Respondent was
10 convicted of one misdemeanor count of violating Penal Code section 261.5 (unlawful sexual
11 intercourse with a minor who is more than three years younger than the perpetrator), in the
12 criminal proceeding entitled *The People of the State of California v. Craig Randell Lorick* (Super.
13 Ct. San Bernardino County, 2015, No. FVI1502118). The Court sentenced Respondent to serve
14 forty (40) days in jail and placed him on 36 months probation, with terms and conditions.

15 b. The circumstances underlying the conviction are that on or about July 13, 2015, at
16 approximately 1245 hours, Respondent entered the victim's residence with the intent to have
17 sexual relations. Respondent was 54 years-old and the victim was a minor teenager. The victim
18 told police that Respondent entered the home and ordered her to her mother's bedroom before
19 brandishing a knife. The victim stated Respondent put his hand over her mouth, laid her down on
20 the bed and began rubbing her inner thighs. Respondent proceeded to kiss the victim between her
21 legs and on her vagina. The victim said the Respondent threatened to stab her and a baby who was
22 in the residence, if she said anything. The victim's mother arrived during the incident and found
23 the victim naked from the waist down. The Respondent was hiding behind the bedroom door and
24 pushed the mother as he exited the home. The Respondent then got into his vehicle and attempted
25 to flee but the victim's mother was standing behind his vehicle. As the victim's mother was
26 yelling for her neighbors to call the police, the Respondent put the car in reverse. The mother
27 moved out of the way but was able to take a photograph of the vehicle's license plate. During the
28 investigation, the Respondent initially lied to police and denied any contact with the victim. He

1 claimed he was near the victim's building doing pest control and spraying for roaches. But the
2 Respondent could not provide specific details about the spraying and denied having contact with
3 anyone at the building. He claimed he did a second pest control job that day but he was unable to
4 provide the address of the job or the full name of the customer. The police executed a search
5 warrant of the Respondent's residence and located shoes, clothing and a knife that matched the
6 items described by the victim or her mother. When confronted with the additional evidence, the
7 Respondent admitted being inside the victim's home and that he intended to have sex with the
8 victim.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Misrepresentation of a Material Fact)**

11 14. Respondent is subject to discipline under Code section 8637, in that he
12 misrepresented a material fact in obtaining a license. Specifically, in Respondent's Field
13 Representative (Branch 2) License Application, which was signed under penalty of perjury on or
14 about January 26, 2001, he certified that he had not been convicted of a felony or misdemeanor
15 other than violation of traffic laws. In fact, as of January 26, 2001, Respondent's criminal
16 convictions included, but were not limited to, the following:

17 a. On or about July 27, 1994, after pleading guilty, Respondent was convicted of one
18 felony count of Penal Code section 459 (burglary with prior serious conviction), with Penal Code
19 667(e) enhancement, in the criminal proceeding entitled *The People of the State of California v.*
20 *Craig Randell Lorick* (Super. Ct. Santa Cruz County, 1994, No. 44-04766). The Court sentenced
21 Respondent to serve twenty-eight (28) months in prison, to be served consecutively with the
22 sentence for Case No. CR5179, for a total of 8 years and 4 months in prison.

23 b. On or about November 14, 1991, Respondent was convicted of one felony count of
24 violating Penal Code section 459 (first degree burglary) and one felony count of second degree
25 burglary with prior), in the criminal proceeding entitled *The People of the State of California v.*
26 *Craig Randell Lorick* (Super. Ct. Santa Cruz County, 1991, No. CR5179.). The Court sentenced
27 Respondent to serve six (6) years in prison, suspended sentence, and placed him on 60 months
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1 probation. On or about July 27, 1994, Respondent's probation was revoked and the court
2 sentenced him to six (6) years in prison.

3 c. On or about October 16, 1990, Respondent was convicted of one felony count of
4 violating Health & Safety Code section 11350, subdivision (a) (possession of cocaine) and one
5 misdemeanor count of violating Health & Safety Code section 11364 (possession of opium pipe),
6 in the criminal proceeding entitled *The People of the State of California v. Craig Randell Lorick*
7 (Super. Ct. Santa Clara County, 1990, No. 142249.). The Court sentenced Respondent to serve
8 nine (9) months in jail and placed him on three (3) years formal probation and ordered him to
9 complete a six (6) month alcohol/drug program. On or about May 13, 1993, Respondent's
10 probation was revoked and the Court sentenced him to serve sixteen (16) months in prison.

11 d. On or about April 24, 1987, after pleading guilty, Respondent was convicted of
12 one felony count of Penal Code section 487.3 (grand theft automobile), in the criminal proceeding
13 entitled *The People of the State of California v. Craig Randell Lorick* (Super. Ct. Los Angeles
14 County, 1987, No. A798789.). The Court sentenced Respondent to serve two (2) years in prison.

15 e. On or about July 13, 1984, Respondent was convicted of one felony count of Penal
16 Code section 459 (second degree burglary), in the criminal proceeding entitled *The People of the*
17 *State of California v. Craig Randell Lorick* (Super. Ct. Los Angeles County, 1984, No.
18 A628784.). The Court sentenced Respondent to serve 365 days in jail, and placed him on 3 years
19 probation, and ordered him to complete a residential drug and alcohol program. On or about June
20 5, 1986, Respondent's probation was revoked and the Court sentenced him to serve two (2) years
21 in prison.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Structural Pest Control Board issue a decision:

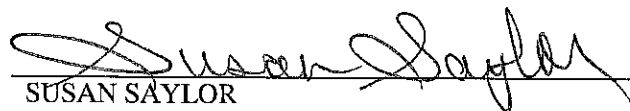
1. Revoking or suspending Field Representative License Number FR 33089, Branch 2, issued to Craig Randell Lorick;

2. Prohibiting Craig Randell Lorick from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee of any registered company during the period that discipline is imposed on Field Representative License Number FR 33089, issued to Craig Randell Lorick;

3. Ordering Craig Randell Lorick to pay the Structural Pest Control Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

4. Taking such other and further action as deemed necessary and proper.

DATED: 5/13/16



SUSAN SAYLOR
Registrar/Executive Officer
Structural Pest Control Board
Department of Consumer Affairs
State of California
Complainant

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